REMARKS

[0003]   Applicant respectfully requests reconsideration and allowance of all of the claims of the application. Claims 1-21 are presently pending. Claims amended herein are 1, 4-7, 12 17 and **20**. Claims withdrawn or cancelled herein are none. New claims added herein are none.

Statement of Substance of Interview

[0004]   Examiner Davenport graciously participated in a telephone interview with the Applicant's representative on August 16, 2007. Applicant greatly appreciates the Examiner's willingness to talk. Such willingness is invaluable to both of us in our common goal of an expedited prosecution of this patent application.

[0005]   During the interview, it was discussed how the claims differed from the cited art, namely Wolfgang. Without conceding the propriety of the rejections and in the interest of expediting prosecution, several possible clarifying amendments were proposed.

[0006]   The Examiner was receptive to the proposals, and it was understood that the Examiner indicated that the proposed clarifying claim amendments appeared to distinguish over the cited art of record. For example, the Examiner indicated that clarification regarding "combining data and metadata into a *new* data portion and inserting a *new* metadata portion" distinguished claim 1 over the cited art, namely Wolfgang. However, the Examiner indicated that she would need to review the cited are more carefully and/or do another search, and requested that the proposed amendments be presented in writing.

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[0007] Applicant herein amends the claims in the manner discussed during the interview. Accordingly, Applicant submits that the pending claims are allowable over the cited art of record for at least the reasons discussed during the interview.

Formal Request for an Interview

[0008] If the Examiner's reply to this communication is anything other than allowance of all pending claims, then I formally request an interview with the Examiner. I encourage the Examiner to call me—the undersigned representative for the Applicant—so that we can talk about this matter so as to resolve any outstanding issues quickly and efficiently over the phone.

[0009] Please contact me or my assistant to schedule a date and time for a telephone interview that is most convenient for both of us. While email works great for us, I welcome your call to either of us as well. Our contact information may be found on the last page of this response.

Claim Amendments and Additions

[0010] Without conceding the propriety of the rejections herein and in the interest of expediting prosecution, Applicant amends claims 1, 4-7, 12, 17 and 20 herein.

Substantive Matters

Claim Rejections under § 101

[0011]   Claims 1-11 and 17-19 are rejected under 35 U.S.C. § 101. In light of the specification amendments and claim 1 and 17 amendments presented herein, Applicant respectfully submits that these claims comply with the patentability requirements of § 101 and that the § 101 rejections should be withdrawn.   The Applicant further asserts that these claims are allowable. Accordingly, Applicant asks the Examiner to withdraw these rejections.

[0012]   If the Examiner maintains the rejection of these claims, then the Applicant requests additional guidance as to what is necessary to overcome the rejection.

Claim Rejections under § 102

[0013]   Claims 1-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by Wolfgang (US Patent Number 6,609,223).

[0014]   Wolfgang does not disclose or describe "linearly combining the data and the linear combination coefficients part of the metadata of each of synchronized incoming packets into a **new** data portion of an outgoing packet, and inserting in a **new** metadata portion that is part of the outgoing packet, **new** linear combination coefficients that identify the data and the linear combination coefficients part of the metadata of the synchronized incoming packets". Furthermore, Wolfgang does not disclose or describe encoding an original

n packets of data and wildcard packets into a new data portion, and then adding a new set of wildcard packets to the original n packets, wherein the new wildcard packets identify anything in the original n packets.

[0015]   In light of the amendments presented herein and the decisions/agreements reached during the above-discussed Examiner interview, Applicant submits that these rejections are moot. Accordingly, Applicant asks the Examiner to withdraw these rejections and the case be passed along to issuance.

Dependent Claims

[0016]   In addition to its own merits, each dependent claim is allowable for the same reasons that its base claim is allowable. Applicant requests that the Examiner withdraw the rejection of each dependent claim where its base claim is allowable.

Conclusion

[0017]   All pending claims are in condition for allowance. Applicant respectfully requests reconsideration and prompt issuance of the application. If any issues remain that prevent issuance of this application, the **Examiner is urged to contact me before issuing a subsequent Action**. Please call/email me or my assistant at your convenience.

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Respectfully Submitted,

Dated: _9-14-07_   By: _E. John Fain_

E. John Fain
Reg. No. 60960
(509) 324-9256 x256
johnf@leehayes.com
www.leehayes.com

My Assistant: Carly Bokarica
(509) 324-9256 x264
carly@leehayes.com

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Atty/Agent: E. John Fain
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